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ATTORNEY DOCKET NO. RAMS.001US

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: J. Michael Ramstack *et al.* ) Examiner:

Serial No.: 10/681,142 ) Art Unit:

Filed: October 9, 2003 )

Title: Preparation of injectable suspensions having improved injectability ) INFORMATION DISCLOSURE  
) STATEMENT TRANSMITTAL

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is:

- ☒ An Information Disclosure Statement. Under 37 CFR 1.99
- ☒ A PTO-1449 Form.
- ☒ Copies of references (A1-7 and B1) as listed on the PTO-1449 Form.
- ☒ Return postcard (postage prepaid).

02/23/2005 MBLANCO 00000006 10681142

01 FC:1806

180.00 OP

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(Express Mail Label No.)February 18, 2005  
(Date of Deposit)

I hereby certify under 37 C.F.R. 1.10 that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" with sufficient postage on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

  
(Signature)Margot Turner  
(Printed Name)RECEIVED  
FEB 25 2005  
TECH CENTER 1600/2900

**PATENT**

**ATTORNEY DOCKET NO. RAMS.001US**

Submission of an information disclosure statement (1.17(p)) 180.00

Processing fee (1.17(i)) 130.00

**TOTAL FEES: \$310.00**

☒ A credit card authorization including the amount of the above-indicated TOTAL FEES is attached.

☐ Please charge Deposit Account No. 18-0020 in the amount of \$[FILL IN AMOUNT].

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☐ No fee is required.

☒ The Commissioner is hereby authorized to charge any underpayment of the following fees associated with this communication, including any necessary fees for extension of time, or credit any overpayment to Deposit Account No. 18-0020.

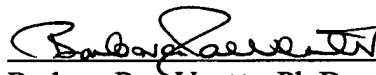
☒ Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims.

☒ Any patent application processing fees under 37 C.F.R. § 1.17.

☒ A duplicate copy of this sheet is attached for accounting purposes.

Respectfully submitted,

Dated: February 18, 2005



Barbara Rae-Venter, Ph.D.

Reg. No. 32,750

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PO Box 1898  
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BRV/ttw

PATENT

DOCKET NO. RAMS.001US



COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

FORM PTO-1449 (Modified)  
LIST OF PATENTS AND PUBLICATIONS  
FOR CITATION OF PRIOR ART 37 CFR 1.99  
(Use several sheets if necessary)  
Sheet 1 of 1

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TECH CENTER 1600/2900

In re the application of: Ramstack, *et al.* ] Art Unit:  
Serial No. 10/681,142 ] Examiner:  
Filed: October 9, 2003 ]

U.S. PATENT DOCUMENTS

Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	Filing Date
A1		6,495,155	12/17/02	Tice <i>et al</i>	424/489	5/25/00
A2		6,500,448	12/31/02	Johnson <i>et al</i>	424/423	2/17/00
A3		5,965,168	10/12/99	Mesens <i>et al</i>	424/497	1/12/98
A4		6,555,544	4/29/03	Francois <i>et al</i>	514/259.41	11/10/98
A5		5,792,477	8/11/98	Rickey <i>et al</i>	424/501	5/2/97
A6		5,540,912	7/30/96	Roorda <i>et al</i>	424/422	3/30/93
A7		6,077,843	7/20/00	Francois <i>et al</i>	514/259.41	5/12/97

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)

Ref. Desig.	Examiner's Initials	Document
B1		<a href="http://www.herc.com/aqualon/construction/cons_brochure/bro_blan_properti.html">http://www.herc.com/aqualon/construction/cons_brochure/bro_blan_properti.html</a>
B2		Beck <i>et al</i> (1983) <u>Biology of Reproduction</u> 28, 186-195.
B3		Maulding <i>et al</i> (1986) <u>Journal of Controlled Release</u> 3, 103-117.



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In re application of: J. Michael Ramstack *et al.* ) Examiner:  
Serial No.: 10/681,142 ) Art Unit:  
Filed: October 9, 2003 )  
Title: Preparation of injectable suspensions having ) CITATION OF PRIOR ART  
improved injectability ) UNDER 37 CFR 1.99

RECEIVED  
FEB 25 2005  
TECH CENTER 1600/2900

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The attached citation of prior art is submitted in accordance with 37 CFR 1.99 together with the requisite fee set forth in 37 CFR 1.17(p) and the processing fee set forth in 37 CFR 1.17(i) (*see* Transmittal). This submission is being made on behalf of a third-party who does not wish to be identified. References B2 and B3 will be submitted under separate cover.

The submission is being made more than two months from the date of publication of the application (October 21, 2004). It was not possible to submit the patents and/or publications that are attached hereto prior to December 21, 2004 because the undersigned attorney only became aware of the above referenced application on or about December 19, 2004 while conducting a review of the scope of patents issued to the assignee of the above referenced application for the

CERTIFICATE OF EXPRESS MAILING

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Margot Turner  
(Signature)

Margot Turner  
(Printed Name)

**PATENT**

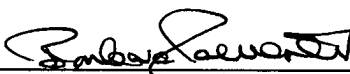
**ATTORNEY DOCKET NO. RAMS.001US**

third-party. According to the online public PAIR site on the Office website, this application has not yet been examined.

A copy of this document and copies of the references (with the exception of B2 and B3 as noted above) and the attached Citation of Prior Art is being served on the applicant in accordance with 37 CFR 1.248.

Respectfully submitted,

Dated: February 18, 2005

  
\_\_\_\_\_  
Barbara Rae-Venter, Ph.D.  
Reg. No. 32,750

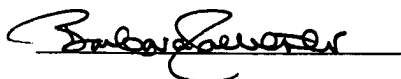
Rae-Venter Law Group, P.C.  
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Facsimile: (831) 242-0137

BRV/

Certificate of service

I hereby certify under this 18<sup>th</sup> day of February 2005, that a true and correct copy of the foregoing "submission of prior art" was mailed by first-class mail, postage paid, to:

Covington & Burling  
1201 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004-2401

  
\_\_\_\_\_  
Barbara Rae-Venter

Barbara Rae-Venter

February 18, 2005  
Date